

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHRISTOPHER A. JONES,

Plaintiff,

vs.

DWIGHT NEVEN, *et al.*,

Defendants.

Case No. 2:07-cv-01088-JCM-GWF

ORDER

This matter is before the Court on Plaintiff's Emergency Motion for Order (#186), filed July 13, 2011.

Plaintiff argues that the Clerk of Court is "artificially inflating" response times to his various motions by adding three (3) days for service. Pursuant to Federal Rule of Civil Procedure 5(a), unless otherwise provided within the rules, written motions, except those that can be heard *ex parte*, must be served on every party. Fed. R. Civ. P. 5(a)(1)(D). Rule 5(b) identifies several ways in which service under Rule 5(a) may be had, including, among others, mailing it to the last known address or by filing it electronically. Fed. R. Civ. P. 5(b)(2). Rule 6(d) provides that "[w]hen a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a)." The Clerk of Court's ministerial actions in this case are consistent with the aforementioned rules. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Emergency Motion for Order (#186) is **denied**.

DATED this 18th day of July, 2011.



GEORGE FOLEY, JR.
United States Magistrate Judge